

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,	:	
	:	Criminal No. 19-710 (SRC)
Plaintiff,	:	
	:	OPINION & ORDER
v.	:	
	:	
BOBBIE L. HENDERSON, III,	:	
	:	
Defendant.	:	
	:	

CHESLER, District Judge

This matter comes before the Court on the motion for compassionate release, pursuant to 18 U.S.C. § 3582(c)(1)(A), by Defendant Bobbie L. Henderson, III. This Court lacks jurisdiction to hear this motion, which was filed on November 23, 2020. On November 19, 2020, Defendant filed a Notice of Appeal to the Third Circuit. “In federal court, ‘[t]he filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.’” Richardson v. Superintendent Coal Twp. SCI, 905 F.3d 750, 761 (3d Cir. 2018) (quoting Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982)). This Court thus now lacks jurisdiction to hear Defendant’s motion for compassionate release, and does not request the Court of Appeals for the Third Circuit to remand the case for consideration of the motion.

For these reasons,

IT IS on this 10th day of December, 2020

ORDERED that Defendant's motion for compassionate release (Docket Entry No. 37) is
DENIED for lack of jurisdiction.

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge